

Division of Water Rights.

Southwest Area

Box 506

Cedar City, Utah 84721

Aug 15, 2002

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AUG 19 2002

AUG 16 2002

WATER RIGHTS
SALT LAKE CITY

I am writing this letter over ~~concerning~~ about the distribution of water in North Creek which is covered in the Beaver River Decree. It is my understanding that your office is responsible for carrying out the terms of this Decree. Under the present conditions it is impossible to divide this water according to the decree. There are 6 outlets where the water is diverted from our stream with no control over how much or when the water was taken. As a result we the lower company lost thousands of dollars worth of water. Before the irrigation season was over a solid dam was put on our side and was not taken out even during the 12 days until I personally went up and turned it down the second day.

In order to divert the water correctly a locking headgate and a measuring device must be put at the beginning of each ~~each~~ outlet from the

main north creek stream. Then the water master after determining the amount of water in the creek can distribute the correct amount of water through their outlets and lock their gates. We the lower company have a measuring device in the main north creek stream below their last outlet so we can see if we are getting our share of the water. In the past with individuals taking out water up and down the creek without proper authority we have been getting only a small fraction of our share of the water.

Please demand action on these locking headgates and measuring devices so they will be in before another irrigation season begins.

Clark W. Smith

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Westside Irrigation Co.